COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. A-056-2021

TAKE NOTICE that a decision has been made by the Committee of Adjustment, for a minor variance application by **Carol L. Davidson,** for relief from the provisions of Zoning By-law 080-13, pursuant to Section 45 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

The subject property is described legally as **PLAN 1032 LOT 83**, is known municipally as **782 Lockhart Road** and is zoned as **"Residential 1 Zone (R1)".**

The applicant is proposing to construct a detached garage with a gross floor area of 61m^2. The applicant is seeking relief from Section 3.3 b) of the Zoning By-law which requires a gross floor area or footprint of an accessory building or structure to not exceed 50 m^2.

The Committee of Adjustment has considered all written and oral submissions received before and/or during the hearing as part of their decision.

☒ The Committee **APPROVED** the application and is satisfied that it is in keeping with Section 45 of the Planning Act, is desirable for the appropriate use of the subject property, is minor in nature, and that the intent and purpose of the Official Plan and Zoning By-law have been maintained.

- ☒ See attached Condition(s) of Approval
- ☐ No Conditions

☐ The Committee **REFUSED** the application and is of the opinion the application is not in keeping with Section 45 of the Planning Act and that the intent and purpose of the Official Plan and Zoning By-law have not been maintained. The Committee is further not satisfied that the application is desirable for the appropriate use of the subject property, or that it is minor in nature.

☐ The Committee **DEFERRED** the application.

DECISION DATED AT THE TOWN OF INNISFIL this **21st** day of **October 2021**.
CIRCULATION DATE OF NOTICE OF DECISION: October 22, 2021
LAST DAY OF APPEAL: November 10, 2021

Sarah Oetinger, Chair

Harry Eisses, Member

John Raimondi, Member

Marnie Adam, Member

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I, Toomaj Haghshenas, Acting Secretary-Treasurer of the Committee of Adjustment do hereby certify that the above is a true copy of the Decision of the Committee of Adjustment for Application No. A-056-2021 rendered on October 21, 2021.

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Toomaj Haghshenas
Acting Secretary-Treasurer
Committee of Adjustment
tkernen@innisfil.ca
705-436-3740 ext. 3320

NOTICE OF LAST DATE OF APPEAL

In accordance with Section 17 (36) of the Planning Act, you may appeal to the Local Planning Appeal Tribunal (LPAT) against the decision by filing with the Secretary Treasurer of the Committee of Adjustment a notice of appeal setting out written reasons in support of the appeal and accompanied by a certified cheque or money order made payable to the Minister of Finance, in the amount of $400 being the current fee prescribed by the Tribunal under the Local Planning Appeal Tribunal Act. The LPAT prescribed Appellant Form (A1) must be filed with any appeal to the Local Planning Appeal Tribunal. This form is available online at www.forms.ssb.gov.on.ca.

Disclaimer: Due to the COVID-19 pandemic, all appeals filed must be submitted to the Town in accordance to Planning Act Regulations. Any appeals received by the Town will be held until LPAT resumes appeal hearings in accordance with the Emergency Order and O. Reg. 149/20.

Additional information relating to the application is available on the Town of Innisfil website. Accessible formats are available on request, to support participation in all aspects of the feedback process. To request an alternate format please contact Planning Services at planning@innisfil.ca.

CONDITIONS OF APPROVAL

The below Condition(s) of Approval shall be completed within **ONE YEAR** from the Circulation Date of Notice of Decision outlined on Page 1. If the Condition(s) of Approval are not completed by this date, the application shall be deemed to have been refused. After the completion of the above noted conditions, consent shall be issued by means of a Certificate of Official under Form 2 of the Planning Act.

1. PLANNING SERVICES

a) That the variance apply exclusively to the garage as shown substantially in conformity to the drawings submitted with this application

b) That the existing mature trees and boundary trees be protected and maintained to the satisfaction of the Town. A tree preservation/planting plan shall be prepared to the satisfaction of the Town, proposing tree compensation and replacement rates for any trees to be removed, and location of new trees and tree protection measures during construction. Visual screening in the form of hedging shall be required along the western side of the structure from the neighbouring dwelling to the west and the garage shall be substantially visually screened from Lockhart Road.

c) That no windows be provided on the western facing wall and the that the detached garage be located at least 1.5m from the interior side lot line (standard minimum setback of a dwelling).